



PATENT  
Attorney Docket No. P1695USA

10/C  
10/15/03  
P2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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OCT 02 2003  
TC 1700

In re Application of:

Lucas et al.

Application No. 10/085,890

Art Unit: 1772

Filed: February 27, 2002

Examiner: Walter Aughenbaugh

For: POLYISOPRENE CONDOM

**PRELIMINARY AMENDMENT**

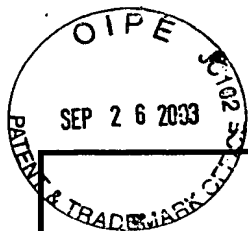
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

In response to the Advisory Action of August 14, 2003, issued for the above-identified patent application, please amend the application as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks** begin on page 4 of this paper.



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**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Subsection (b) of 35 USC 132, effective on May 29, 2000,  
provides for continued examination of an utility or plant application  
filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA)

Application No.	10/085,890
Filing Date	September 26, 2003
First Named Inventor	David M. Lucas
Group Art Unit	1772
Examiner Name	Walter Aughenbaugh
Attorney Docket No	P1695USA

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

**NOTE:** 37 CFR 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 CFR 1.53(d) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000). 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

**1. Submission required under 37 CFR 1.114**

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on  
(Any unentered amendment(s) referred to above will be entered.)
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
- iii. ☐ Other:
- b. ☒ Enclosed
- i. ☒ Preliminary Amendment
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Form PTO-1449
- v. ☐ Copies of documents listed in Form PTO-1449
- vi. ☐ Other:

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01 FC:1801  
02 FC:1231750.00  
110.00

**2. Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103 for a period of  
months. (Period of suspension shall not exceed 3 months; fee under 37 CFR 1.17(i) required.)
- b. ☒ Applicant claims small entity status. See 37 CFR 1.27
- c. ☒ Other: Return Post Card

**3. Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☐ The following fees are enclosed:
- i. ☒ RCE fee of \$750.00 (large entity) required under 37 CFR 1.17(e)
- ii. ☒ One-month extension of time fee of \$110.00 (37 CFR 1.136 and 1.17)
- iii. ☐ Suspension of action fee of \$130.00 (37 CFR 1.17(i))
- iv. ☐ Other:

**TOTAL FEES ENCLOSED**

860.00


- b. ☒ Check in the amount of \$860.00 is enclosed
- c. ☐ The Commissioner is hereby authorized to charge the above fees to Deposit Account No.  
07-0181
- d. ☒ The Commissioner is hereby authorized to charge any deficiencies in the above fees or to  
credit any overpayments to Deposit Account No. 07-0181

**Request For Continued Examination Transmittal**

Application No. 10/085,890

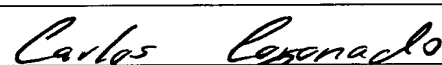

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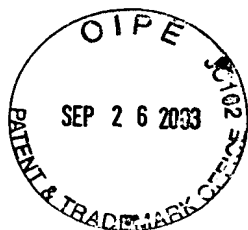
**SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED**

Name (Print/Type)	Lori A. Oosterbaan	Registration No. (Attorney/Agent)	53,416
Signature		Date	September 26, 2003

**CERTIFICATE OF MAILING UNDER 37 CFR 1.10**

I hereby certify that this RCE Transmittal and all accompanying documents are being deposited with the United States Postal Service on September 26, 2003, in an envelope as "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 CFR 1.10, Mailing Label Number EF366672985US, addressed to: Mail Stop RCE, Commissioner for Patents, Alexandria, Virginia 22313-1450.

Name (Print/Type)			
Signature		Date	September 26, 2003



**EXPRESS MAILING CERTIFICATE  
UNDER 37 CFR § 1.10**

**Date of Deposit: September 26, 2003**

**"Express Mail" Mailing Number: EF366672985US**

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I hereby certify that the attached correspondence, including any documents or materials referred to thereon as enclosures or attachments, is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to:

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Title: POLYISOPRENE CONDOM

Inventor: Lucas et al.

Application No.: 10/085,890

Filed: February 27, 2002

Enclosed:

1. Request for Continued Examination (RCE) Transmittal (2 pgs) and duplicate thereof (2 pgs)
2. Preliminary Amendment (8 pgs)
3. Check in the amount of \$860.00 – RCE and One-month extension of time fees
4. Return Postcard

Carlos Coronado  
Typed or Printed Name

[Signature]  
Signature

Attorney Docket No. **P1695USA**  
Client No. 070875/0002